

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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JERMAINE FANN,

Plaintiff,

v.

No. 15-CV-1339  
(DNH/CFH)

H. GRAHAM, Superintendent, Auburn  
Correctional Facility, et al.,

Defendants.

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**CHRISTIAN F. HUMMEL  
U.S. MAGISTRATE JUDGE**

**APPEARANCES:**

**OF COUNSEL:**

Jermaine Fann  
08-B-2345  
Auburn Correctional Facility  
P.O. Box 618  
Auburn, New York 13021

HON. ERIC T. SCHNEIDERMAN  
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WILLIAM A. SCOTT, ESQ.  
Assistant Attorney General

NICOLE E. HAIMSON, ESQ.  
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**ORDER**

On July 12, 2016, a conference was conducted on-the-record with plaintiff and counsel for defendants. Dkt. Entry dated July 12, 2016. During that conference, the Court directed that defendants provide the Court with defendants' personnel files for in camera review. An order was issued directing defendants to provide the personnel files within thirty days from the issuance of that order. Dkt. No. 62.

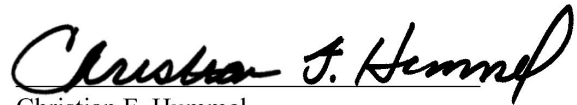
On August 5, 2016, defendants produced the personnel files of defendants Graham, Ederer, Cornell, Lovejoy, Thomas, and Schramm for in camera review. Based on the Court's in camera review of the submitted files, it is hereby

**ORDERED** that plaintiff's request for the personnel files of defendants Graham, Ederer, Cornell, Lovejoy, Thomas, and Schramm is **DENIED**, as nothing contained within those files is a proper subject of discovery pursuant to the Federal Rules of Civil Procedure; and it is further

**ORDERED** that the Clerk of the Court serve copies of this order on the parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

Dated: August 16, 2016  
Albany, New York

A handwritten signature in black ink, reading "Christian F. Hummel". The signature is written in a cursive, flowing style with a large initial "C".

Christian F. Hummel  
U.S. Magistrate Judge